

**UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MARYLAND**

In Re:

**CLIFFORD CORNELIUS WONG
ADEBESSI CHARLES WONG**

Debtors

Case No. **15-19543-WIL**

Chapter 13

OBJECTION TO CONFIRMATION

Nancy Spencer Grigsby, Chapter 13 Trustee in the above-captioned case (“Trustee”), pursuant to section 1325, generally, of the Bankruptcy Code and Bankruptcy Rule 3015 (f) objects to confirmation of the Debtors’ Chapter 13 Plan. In support of her motion, the Trustee respectfully represents the following:

1. The Debtor’s Schedule J reflects monthly expenses that are not reasonably necessary to be expended for the maintenance or support of the Debtors as required by 11 U.S.C. §§ 1325(b)(1)(B) and 1325(b)(2). The Trustee has requested that the Debtors reduce the following expenses: Day care, telephone and cable, and car insurance. However, Debtors have neither reduced these expenses, nor shown that they have attempted to reduce these expenses.
2. In addition to the Debtors’ high household expenses, the Debtors’ mortgage payment has recently increased to \$3,373, approximately 34% of their combined net income. It is important to note, given Debtors’ apparent reluctance to reduce expenses, that they incurred this mortgage in February, 2015, less than ten months prior to filing the current bankruptcy case.
3. The Plan fails to provide that all of the Debtor’s projected disposable income will be applied to payments under the Plan. Specifically, the Debtors have two payments that will end by month 48: a car payment of \$230 and a tsp loan payment of \$353. Therefore, the plan payment should step up by \$583 in month 48, but currently only steps up by \$150. Accordingly, the Plan does not satisfy the requirements of 11 U.S.C. §1325(b)(1)(B).
4. The Debtors’ Plan proposes that they will provide the Trustee with copies of their State and Federal returns each year, within 15 days of filing, and that, by no later than June 1, the Debtors will pay into the plan all refunds for the years indicated, including 2015. The Trustee has received neither the returns, nor the refunds for 2015.
5. Given all of the above, the Trustee questions whether the Debtors have demonstrated a sincere desire to reorganize their debts and have presented a Chapter 13 Plan in good faith.

WHEREFORE, the Trustee objects to confirmation of the Plan.

Date: June 1, 2016

Respectfully submitted,

Nancy Spencer Grigsby
Chapter 13 Trustee

By Counsel:

/s/ Rebecca A. Herr

Rebecca A. Herr

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Objection to Confirmation was served on June 1, 2016 electronically to those recipients authorized to receive a Notice of Electronic Filing by the Court, and/or by first class mail, postage prepaid to:

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